

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Troy Sargent
Andrea Sargent

Case No.:

23-16339

Judge:

MBK

Debtor(s)

Chapter 13 Plan and Motions

☒ Original

☐ Modified/Notice Required

Date: 8/16/2023

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JEJ

Initial Debtor: TS

Initial Co-Debtor: AS

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 958 per MO to the Chapter 13 Trustee, starting on 8/23 for approximately 48 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3365
DOMESTIC SUPPORT OBLIGATION		
INTERNAL REVENUE SERVICE	TAXES	\$15,000
STATE OF NEW JERSEY	TAXES	\$6,000

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims**a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nissan Motor Acceptance	2020 Nissan	1,564	N/A	1,564	Resume in the normal course

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Disney	Timeshare	10,000	11,000

f. Secured Claims Unaffected by the Plan ☐ **NONE**

The following secured claims are unaffected by the Plan:

Loan Depot for Mortgage
GM Financial for 2021 Chevrolet loan

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 19,332 to be distributed *pro rata*

☐ Not less than _____ percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
All student loans	Non-dischargeable loans (long term debt)	100% outside plan	In full

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
- ☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Jenkins Law Group
- 3) Nissan Motor Acceptance
- 4) IRS + NJ pro rata

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the plan is being modified:	Explain below how the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 8/16/2023

/s/ Troy Sargent
Debtor

Date: 8/16/2023

/s/ Andrea Sargent
Joint Debtor

Date: 8/16/2023

/s/ Jeffrey E. Jenkins
Attorney for Debtor(s)

United States Bankruptcy Court
District of New Jersey

In re:
Troy Sargent
Andrea Sargent
Debtors

Case No. 23-16339-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Aug 16, 2023

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 18, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Troy Sargent, Andrea Sargent, 19 Sawgrass Drive, Westampton, NJ 08060-4739
519980094	+ Advocare, PO Box 71422, Philadelphia PA 19176-1422
519980096	American Express National Bank, co Anthony J Migliaccio, American Express Legal, Po Box 278, Ramsey NJ 074460278
519980097	AmexCitibank, Po Box 8218, Mason OH 450408218
519980103	+ BMOHARRISBKGREENSKY, 1797 NE Expressway, Atlanta GA 30329-7803
519980111	Gastroenterology Consultants of SJ, Po Box 70, Lumberton NJ 080480070
519980113	Grimley Financial Corperation, 1415 Route 70 E LL5, Cherry Hill NJ 08034
519980117	Loan Depot, 6561 Irvine, Irvine CA 92618
519980119	+ MSB Bank, 1797 NE Expressway, Atlanta GA 30329-7803
519980118	+ Midatlantic Anesthesia Associates PA, PO Box 8505, Cherry Hill NJ 08002-0505
519980123	+ Regions BankGS Loan services, 1797 NE Expressway, Atlanta GA 30329-7803
519980124	+ State of New Jersey, PO Box 245, Trenton NJ 08695-0245
519980129	+ Virtua Health, PO Box 71430, Philadelphia PA 19176-1426

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Aug 16 2023 20:35:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Aug 16 2023 20:35:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
519980095	+ Email/PDF: bncnotices@becket-lee.com	Aug 16 2023 20:52:20	American Express, PO Box 981537, El Paso TX 79998-1537
519980098	^ MEBN	Aug 16 2023 20:28:37	Apex Asset Management LLC, PO Box 5407 Suite 102, Lancaster PA 17606-5407
519980099	+ Email/Text: GSBankElectronicBankruptcyNotice@gs.com	Aug 16 2023 20:35:00	Apple Card GS Bank USA, 11850 S Election Rd 84020-6814
519980100	+ Email/Text: creditcardbkcorrespondence@bofa.com	Aug 16 2023 20:34:00	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
519980101	+ Email/Text: BarclaysBankDelaware@tsico.com	Aug 16 2023 20:35:00	Barclays Bank Delaware, PO Box 8803, Wilmington DE 19899-8803
519980102	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 16 2023 20:37:22	Best BuyCBNA, 5800 South Corporate Place, Sioux Falls SD 57108-5027
519980105	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Aug 16 2023 20:52:31	Capital One, PO Box 31293, Salt Lake City UT 84131-0293
519992411	+ Email/PDF: ebn_ais@aisinfo.com	Aug 16 2023 20:52:25	Capital One N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

District/off: 0312-3
Date Rcvd: Aug 16, 2023

User: admin
Form ID: pdf901

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Total Noticed: 39

519980106	^	MEBN	Aug 16 2023 20:28:31	Comenity Capital BankAN TLR, 3095 Loyalty Circle Building A, Columbus OH 43219-3673
519980107	^	MEBN	Aug 16 2023 20:28:32	Comenity Capital BankPIERS, 3095 Loyalty Circle Building A, Columbus OH 43219-3673
519980108	+	Email/PDF: ADVS_EBN_BKR_AUTO@advs.aidvantage.com	Aug 16 2023 20:52:21	Department of Education, 1891 Metro Center Drive, Reston VA 20190-5287
519980109	+	Email/Text: electronicbkydocs@nelnet.net	Aug 16 2023 20:35:00	Department of Education Nelnet, PO Box 82561, Lincoln NE 68501-2561
519980112	+	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Aug 16 2023 20:35:00	GM Financial, PO BOX 181145, Arlington TX 76096-1145
519980114	+	Email/Text: sbse.cio.bnc.mail@irs.gov	Aug 16 2023 20:35:00	Internal Revenue Service, PO Box 7346, Philadelphia PA 19101-7346
519980115		Email/Text: mail@jjenkinslawgroup.com	Aug 16 2023 20:35:00	Jenkins Law Group, 412 S Whitehorse Pike, Audubon NJ 08106
519980116	+	Email/Text: PBNCNotifications@peritussservices.com	Aug 16 2023 20:34:00	Kohls Department Store, PO Box 3115, Milwaukee WI 53201-3115
519980120	+	Email/Text: NissanBKNotices@nationalbankruptcy.com	Aug 16 2023 20:34:00	Nissan Motor Acceptance, PO Box 660360, Dallas TX 75266-0360
519987637		Email/PDF: cbp@omf.com	Aug 16 2023 20:37:22	ONEMAIN, P.O. BOX 3251, EVANSVILLE, IN 47731-3251
519980121		Email/PDF: cbp@omf.com	Aug 16 2023 20:37:14	OneMain, 100 International Dr Fl 15, Baltimore MD 212024784
519980122	^	MEBN	Aug 16 2023 20:28:14	Prosper Marketplace Inc, 221 Main St Suite 300, San Francisco CA 94105-1909
519980125	+	Email/PDF: gecsedl@recoverycorp.com	Aug 16 2023 20:37:15	SYNCHome Design, PO Box 965036, Orlando FL 32896-5036
519980126		Email/Text: bknotice@upgrade.com	Aug 16 2023 20:34:00	Upgrade Inc, 2 N Central Avenue 10th Floor, Phoenix AZ 85004
519980127	+	Email/Text: LCI@upstart.com	Aug 16 2023 20:34:00	Upstart Network, PO Box 61203, Palo Alto CA 94306-6203
519980128	+	Email/Text: LCI@upstart.com	Aug 16 2023 20:34:00	Upstart Network Inc, 2950 South Delaware St, San Mateo CA 94403-2580
TOTAL: 26				

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519987636		BK- FILED CLAIM, SAVED TO COMPLETED POC FOLDER
519980104		Bright Smiles Dentistry
519980110		Disney, Florida NJ

TOTAL: 3 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the

complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 18, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 16, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Douglas J. McDonough	on behalf of Creditor LoanDepot.com LLC dmcdonough@flwlaw.com
Jeffrey E. Jenkins	on behalf of Joint Debtor Andrea Sargent mail@jenkinsclayman.com JenkinsClayman@jubileebk.net
Jeffrey E. Jenkins	on behalf of Debtor Troy Sargent mail@jenkinsclayman.com JenkinsClayman@jubileebk.net
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5